

Message Text

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C O N F I D E N T I A L STATE 262617

E.O. 11652: GDS

TAGS: EFIS, CA

SUBJECT: US-CANADIAN FISHERIES NEGOTIATIONS

REF: STATE 258261

1. US AND CANADIAN FISHERIES TEAMS, HEADED BY AMB.
RIDGWAY AND DR. LEGAULT, HELD ONE-DAY SESSION IN WASHINGTON,
OCTOBER 19. DISCUSSIONS INVOLVED FUTURE WORK TOWARDS US-
CANADIAN FISHERIES ARRANGEMENTS IN LIGHT OF OCTOBER 15
MEETING BETWEEN THE SECRETARY AND CANADIAN FOREIGN SECRETARY
JAMIESON.(REFTEL)

2. CANADIAN SIDE NOTED THAT GOC HAD ACCEPTED CONCEPT THAT
A COMPROMISE BOUNDARY COULD BE CONSIDERED IN THE GULF OF
MAINE AREA PROVIDED THAT SATISFACTORY PERMANENT FISHERY AND
HYDROCARBON ARRANGEMENTS COULD BE WORKED OUT. CANADIANS
INDICATED THAT THEY RECOGNIZED PROBABILITY OF NEED INTERIM
ARRANGEMENTS, PARTICULARLY WITH RESPECT TO THIRD PARTY
FISHING IN AREAS CLAIMED BOTH BY THE UNITED STATES AND
CANADA PENDING FINAL SOLUTION. CANADIAN SIDE NOTED THAT
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THEIR APPROACH ENVISAGED FOR INTERIM WOULD INCORPORATE TO

EXTENT POSSIBLE MANAGEMENT PRINCIPLES DEVELOPED FOR PERMANENT ARRANGEMENTS, INCLUDING PROVISION FOR RECIPROCAL FISHERIES ON BOTH ATLANTIC AND PACIFIC COASTS, AS WELL AS SPECIFIC MECHANICS OF ENFORCEMENT FOR INTERIM PERIOD. CONCEPT OF INTERIM PERIOD WOULD BE TO GIVE BOTH SIDES OPPORTUNITY TO CONTINUE NEGOTIATIONS ON PERMANENT RESOURCE AND BOUNDARY ARRANGEMENTS. PRESUMED TIMEFRAME FOR INTERIM PERIOD IS ONE YEAR.

3. BASIC DIFFICULTY AROSE OVER CANADIAN VIEW OF NATURE OF MANAGEMENT PRINCIPLES WHICH SHOULD APPLY NOT ONLY AS PART OF PERMANENT SOLUTION, BUT ALSO AS BASIS OF INTERIM ARRANGEMENTS. SPECIFICALLY, CANADIAN SIDE CALLED FOR APPLICATION OF JOINT MANAGEMENT OF FISHERIES RESOURCES AND ACCESS TO THOSE JOINTLY MANAGED FISHERIES TO AN AREA WIDER THAN THE DISPUTED ZONE ON GEORGES BANK. IN RESPONSE TO DIRECT QUERY, CANADIANS SAID THAT THEY ENVISAGED JOINT MANAGEMENT APPLYING TO ALL OF GEORGES BANK. CANADIAN SIDE PROFESSED TO READ RECORD OF SECRETARY-JAMIESON MEETING AS EXPLICIT ENDORSEMENT OF THIS CANADIAN NEGOTIATING POSITION ON ACCESS AND JOINT MANAGEMENT IN GEORGES BANK. US SIDE CONTESTED THIS POSITION. NO CONSENSUS, THUS, EMERGED FROM OCTOBER 19 TALKS RE GUIDING PRINCIPLES AGREED TO BETWEEN SECRETARY AND JAMIESON.

4. SPECIFICALLY, US INDICATED THAT FOR INTERIM PERIOD WE WERE PREPARED TO CONSIDER JOINT ARRANGEMENTS IN THE DISPUTED AREA, BUT THAT EXTENSION OF JOINT MANAGEMENT SOUTH OF THE CANADIAN-CLAIMED EQUIDISTANT LINE TO INCLUDE ALL OF GEORGES BANK PREJUDICED THE US BOUNDARY POSITION AND WAS UNACCEPTABLE TO US. WE DID NOT FORCLOSE THE POSSIBILITY OF JOINT MANAGEMENT OF FISHERIES IN AN AREA LARGER THAN THE AREA OF OVERLAPPING CLAIMS IN THE CONTEXT OF A BOUNDARY SETTLEMENT. BEST APPROACH WOULD BE TO START WITH MOST IMMEDIATE PROBLEM--ENFORCEMENT AGAINST THIRD PARTIES IN THE DISPUTED AREA AND TO BUILD A SHORT-TERM AGREEMENT ON THIS BASIS BOTH TO FACILITATE AND TO PROVIDE NECESSARY TIME TO NEGOTIATE THE PERMANENT ARRANGEMENTS. WE STRESSED THE VIEW THAT KEY TO ANY NECESSARY INTERIM ARRANGEMENTS IS RECOGNIZING DISPUTED AREA AS

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NORTHEAST THIRD OF GEORGES BANK AND NOT EXTENDING IT.

5. IN RECOGNITION OF DIVERGENCE IN INITIAL APPROACH CANADIAN SIDE SAID THAT IT WOULD, ON NO-COMMITMENT BASIS AND WITHOUT REGARD TO AREA OF APPLICABILITY, BE PREPARED TO DISCUSS HOW SHORT-TERM ARRANGEMENTS ON ENFORCEMENT AND ALLOCATION OF FISH STOCKS MIGHT DEVELOP. THE TWO SIDES EXCHANGED VIEWS ON WHAT INTERIM ENFORCE-

MENT ARRANGEMENTS MIGHT LOOK LIKE, WITH SIGNIFICANT SIMILARITIES EMERGING. WITH REGARD TO RESOURCE ALLOCATIONS, THE TWO SIDES FURTHER AGREED THAT IT WOULD BE USEFUL TO START IDENTIFYING SPECIFIC FISH STOCKS THAT EACH WOULD BE INTERESTED IN WITHOUT TRYING TO DESCRIBE THEM IN TERMS OF GEOGRAPHIC CATEGORIES OR ABSTRACT PRINCIPLES. CANADIANS RAISED POSSIBILITY OF USING ALLOCATIONS WORKED OUT AT MONTREAL ICNAF MEETING AS BASIS FOR SHORT TERM ARRANGEMENT ON EAST COAST AND OUTLINED PRELIMINARY THINKING ON TOTAL ALLOWABLE CATCHES OF STOCKS OFF CANADA'S WEST COAST. US RESERVED ON ANY SPECIFIC ALLOCATION PROPOSALS, INDICATING THAT US WOULD SET FORTH SPECIFIC US STOCK INTERESTS AT NEXT ROUND.

6. THE TWO SIDES AGREED ON NEED TO MOVE FORWARD AS RAPIDLY AS POSSIBLE. NEXT ROUND OF NEGOTIATIONS WAS FIXED FOR WEEK OF NOVEMBER 15-19 IN OTTAWA, WITH AT LEAST PART OF THAT TIME DEVOTED TO MEETINGS OF FULL DELEGATIONS (INDUSTRY ADVISORS IN ADDITION TO GOVERNMENT MEMBERS.) IN MEANTIME, US AGREED TO PROVIDE CANADA WITH PAPER OUTLINING PROPOSALS FOR SHORT TERM FISHERIES ARRANGEMENTS TO BE MADE AVAILABLE BY OCTOBER 29. KISSINGER

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